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PATENT, TRADEMARK, COPYRIGHT
AND RELATED MATTERS

OF COUNSEL
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FACSIMILE

To: Examiner Elizabeth Cole, Art Unit 1771

Company: U.S. Patent & Trademark Office

Fax No.: 703-872-9306

From: Melanie Rauch

Re: 09/855,189 (KCC-1087)

Date: 17 March 2004

Number of pages being transmitted, including cover sheet: 13

Attached is a copy of the Third IDS, filed 04 October 2002, citing references that were cited in the International Search Report for the corresponding PCT application, along with a return-receipt postcard with a stamp thereon acknowledging receipt by the U.S. Patent & Trademark Office.

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Docket No.: KCC-14,833

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Raymond Jeffrey MAY
James Marcus CARR
Richard Harry THIESSEN
Lavada Campbell BOGGS
Hannong RHIM
James Russell FITTS, Jr.
Adrian Roy EGGEN
Victor Charles LANG
Kenneth Michael SALTER

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MAR 17 2004

OFFICIAL

Group No.: 1771

Serial No.: 09/855,189

Filing Date: 14 May 2001

Title: TARGETED ELASTIC LAMINATE
HAVING ZONES OF DIFFERENT
BASIS WEIGHTS

THIRD INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In accordance with Rule 1.56 and MPEP Section 2001.06(a), the references listed on Form PTO-1449 were first cited in the International Search Report for the corresponding International Application, PCT/US01/15580, and are

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

October 4, 200210/4/02
Date
Signature

KCC-1087

1

P1001-D/mrc


Serial No.: 09/855,189

Docket No.: KCC-14,833

hereby brought to the attention of the Examiner as being possibly material to examination of the subject patent application. An English language version of the International Search Report, Form PCT/ISA/210 is enclosed.

The undersigned states that this disclosure is being made within the three month period required by 37 C.F.R. §1.97(e). Form PTO-1449 (1 page) is enclosed with a copy of each and every reference cited on Form PTO-1449.

Respectfully submitted,



Melanie I. Rauch

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KCC-1087

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P1001-D/mrc

Sheet 1 of 1

FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. KCC-14,833		SERIAL NO. 09/855,189	
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)				APPLICANT(S) Raymond Jeffrey MAY et al.			
				FILING DATE 14 May 2001		GROUP	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	AA	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	10075978 (Abstract)	03/1998	JP	A61F	13/15		
	AM	98/49988	11/1998	PCT	A61F	13/15		
	AN	99/47590	09/1999	PCT	C08J	5/18		
	AO	00/10500	03/2000	PCT	A61F	13/15		
	AP	01/00053	01/2001	WO	A61F	13/15		

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
	AR	
	AS	
	AT	

EXAMINER	DATE CONSIDERED
----------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

KCC-1087

USCOMM-DC 80-3985

P1005.2/ mrc

Assistant Commissioner for Patents
Washington, D.C. 20231

Please affix the USPTO receipt stamp hereon as evidence of receipt of the following enclosed papers.

- Third Information Disclosure Statement (2 pages)
- Form PTO-1449 (1 page) along with a copy of each and every reference cited on Form PTO-1449
- Copy of Notification of Transmittal of The International Search Report or the Declaration, Form PCT/ISA/220 (1 page)
- Copy of the English Language Version of the International Search Report for the corresponding International Application PCT/US01/15580, Form PCT/ISA/210 (7 pages)

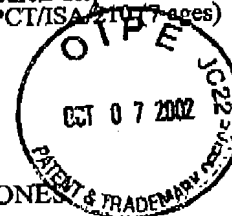
All by Certificate of Mailing dated 04 October 2002.

Applicants: Raymond Jeffrey MAY et al.

Serial No.: 09/855,189

Filing Date: 14 May 2001

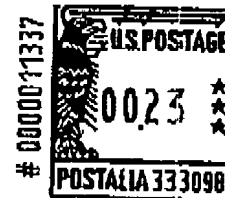
Title: TARGETED ELASTIC LAMINATE HAVING ZONES
OF DIFFERENT BASIS WEIGHTS



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KCC-1087
✓

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PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCTNOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

To:
PAULEY PETERSEN KINNE & FEJER
Attn. Rauch, Melanie I.
2800 West Higgins Road, Suite 365
Hoffman Estates, Illinois 60195
UNITED STATES OF AMERICA

Date of mailing
(day/month/year) 04/07/2002

Applicant's or agent's file reference
KCC-1087-PCT

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
PCT/US 01/15580

International filing date
(day/month/year) 15/05/2001

Applicant

KIMBERLY-CLARK WORLDWIDE, INC.

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.


2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority
 European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Monika Schmitz

DOCKETED

Form PCT/ISA/220 (July 1998)

DATE

ATTORNEY

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference KCC-1087-PCT	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 01/ 15580	International filing date (day/month/year) 15/05/2001	(Earliest) Priority Date (day/month/year) 15/05/2000
Applicant KIMBERLY-CLARK WORLDWIDE, INC.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☒ Unity of invention is lacking (see Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

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☐ None of the figures.

Form PCT/ISA/210 (first sheet) (July 1998)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 01/15580**Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)**

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

see additional sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☒ No protest accompanied the payment of additional search fees.

International Application No. PCT/US 01 15580

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-37, 49-58

Elastic laminate material having different zones of elastic tension across a width of the material obtained by using filaments having different basis weights for the different zones of elastic tension, one processes for making the same and garments comprising this product.

2. Claims: 38-48

Second method for producing the product of claim 1.

3. Claims: 59-117

elastic laminate materials having different zones of elastic tension across a width of the material obtained by using filaments of diverse elastomeric polymers for the different zones of elastic tension, processes for making the same and garments comprising this product.

4. Claims: 118-124, 131, 143, 144, 146-161, 164-166

Laminate comprising strand of an elastomeric material applied to a first major surface of an elastomeric film and related to the nature of the polymers used, garments incorporating this product and method for making it.

5. Claims: 125-130, 145, 162, 163, 167

Laminate comprising strand of an elastomeric material applied to a first major surface of an elastomeric film and comprising a further facing sheet and method for making it.

6. Claims: 132, 133

Laminate comprising strand of an elastomeric material applied to a first major surface of an elastomeric film and related to different portions of the elastomeric film exhibiting different amounts of elastic tension.

7. Claims: 134-142

Laminate comprising strand of an elastomeric material applied to a first major surface of an elastomeric film and related to the presence of multiple elastomeric strands on the elastomeric film surface.

International Application No
PCT/US 01/15580

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DATABASE WPI Section Ch, Week 199822 Derwent Publications Ltd., London, GB; Class A96, AN 1998-244528 XP002200618 & JP 10 075978 A (KAO CORP), 24 March 1998 (1998-03-24) abstract	118,120, 131,134, 151,155, 160,166
Y	---	132
Y	US 4 977 011 A (SMITH CAROL L) 11 December 1990 (1990-12-11) column 3, line 31 -column 5, line 45; claims; figures	25,28, 29,36, 38,48
Y	WO 99 47590 A (KIMBERLY CLARK CO) 23 September 1999 (1999-09-23) abstract	132
A	DE 34 23 644 A (HARTMANN PAUL AG) 2 January 1986 (1986-01-02) the whole document	1-25, 49-58
A	US 4 618 384 A (SABEE REINHARDT N) 21 October 1986 (1986-10-21) the whole document	1-25, 49-58
A	WO 98 49988 A (PARAGON TRADE BRANDS INC) 12 November 1998 (1998-11-12) the whole document	1-24, 49-79, 108-117
P,A	& US 6 123 694 A (HUFFMAN GLORIA ET AL.) 26 September 2000 (2000-09-26)	
A	WO 99 17926 A (KIMBERLY CLARK CO) 15 April 1999 (1999-04-15) page 5, line 12 -page 8, line 19 page 13, line 3 - line 14; claims; figures	118-131, 134, 143-145, 151,155, 160,166
A	WO 00 10500 A (KIMBERLY CLARK CO) 2 March 2000 (2000-03-02) page 60, line 20 - line 25 page 64, line 16 - line 25	118-131, 134, 143-145, 151,155, 160,166

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 01/15580

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9534264	A	21-12-1995	US 5681302 A DE 69517979 D1 DE 69517979 T2 EP 0765146 A1 EP 0985394 A2 ES 2148522 T3 JP 10501195 T WO 9534264 A1	28-10-1997 17-08-2000 22-02-2001 02-04-1997 15-03-2000 16-10-2000 03-02-1998 21-12-1995
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INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 01/15580

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 0010500 A		EP 1107719 A1	20-06-2001
		TR 200100580 T2	21-01-2002
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